IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 11TH JANUARY 2007 / 21ST PAUSHA 1928

Bail Appl..No. 7787 of 2006()

CMP.4211/2006 of SESSIONS COURT, PALAKKAD
CRIME NO.392/06 OF PUDUNAGARAM POLICE STATION.

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: PETITIONERS/ACCUSED

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1. SHAMEER, S/O.SHAHUL HAMEED,
   AGED 28 YEARS, ZEENATH MANZIL,
   VANDITHAVALAM, PALLIMOKKU VILLAGE,
   CHITTUR TALUK, PALAKKAD DISTRICT.

2. SHAHUL HAMEED, AGED 55 YEARS,
   S/O.CHINNAKANNU RAWTHER, ZEENATH MANZIL,
   VANDITHAVALAM, PALLIMOKKU VILLAGE,
   CHITTUR TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.K.P.BALAGOPAL

RESPONDENT: COMPLAINANT

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 7787 OF 2006

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DATED THIS THE 11th DAY OF JANUARY, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioners who are accused Nos.1 and 2 in Crime No.392/06 of Pudunagaram Police Station for offences punishable under Sections 323, 324, 341 and 452 read with section 34 I.P.C., seek anticipatory bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

3. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. Petitioners shall not commit any offence while on bail.

5. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn